EXHIBIT A

MINUTES OF ANNUAL MEETING

NEW HAMPSHIRE REPUBLICAN STATE COMMITTEE

SATURDAY, JANUARY 28, 2023

SALEM HIGH SCHOOL, 44 GEREMONTY DRIVE, SALEM, NEW HAMPSHIRE

The 2023 annual meeting was called to order by Chairman Stephen Stepanek at 10:05 a.m. He reminded members to sign up if they wished to speak to bylaw amendment proposals and resolutions. Chairman Stepanek led the Pledge of Allegiance and invited Pastor Dan Campbell from Manchester to offer an invocation. The chairman appointed the following: Bill O'Brien as Parliamentarian, Jane Lane as Secretary and Andrew Georgevits as Sergeant-at-Arms.

CREDENTIAL REPORT: Chairman Stepanek recognized Scott Maltzie, Chairman of the Credentialing Committee, to provide the Credentialing Report. Scott reported that out of a possible 482 members, 413 or 85.68% were present and he declared a quorum. He moved to accept the Credentialing Report. Motion seconded and passed.

RULES COMMITTEE REPORT: Chairman Stepanek recognized Ray Chadwick, Chairman of the Rules Committee. Ray recognized his fellow committee members, Alan Glassman and Rep. Wayne MacDonald, and explained that the rules for this meeting are based on 2020 rules that governed the last pre-Covid meeting. He moved adoption of the rules. Motion seconded and passed.

OFFICER REPORTS:

- 1. Secretary's report: Jane Lane presented the minutes of the continuation of the 2021 annual meeting held on April 23, 2022 and the minutes of the 2022 annual meeting also held on April 23, 2022. It was moved and seconded to accept the report. Motion passed.
- 2. Treasurer's report: Alan Glassman presented his report. He pointed out more than \$129,000 cash on hand as of 12/31/2022. It was moved and seconded to accept the report. Motion passed.
- 3. National Committeewoman: Juliana Bergeron presented her report, including a brief report of the recent RNC Winter Meeting when Chair Ronna McDaniel was re-elected.
- 4. National Committeeman: Chris Ager presented his report, including his comments on the recent RNC Winter meeting and New Hampshire's First in the Nation status, at least as far as Republicans are concerned.
- 5. Vice Chair: Pam Tucker presented her report reflecting on her position for the past 4 years.
- 6. Chair: Chairman Stepanek spoke to the successes in the 2022 election keeping Republicans in control of the Governor's office, the New Hampshire House and the New Hampshire Senate, and the Executive Council.

7. Jane Lane moved to accept the reports of the National Committeewoman, the National Committeeman, the Vice Chair and the Chair. Alam Glassman seconded the motion and motion passed.

ELECTION OF OFFICERS: Chairman Stepanek reviewed the rules. Nominations and seconding speeches are limited to 2 minutes and candidates have 3 minutes to speak.

Chairman:

Chris Ager was nominated by Bill O'Brien. The nomination was seconded by Rep. Fred Doucette, Chris Maidment and Mary Jane Beauregard. Chris Ager accepted the nomination.

Lou Gargiulo was nominated by Linda McGrath. The nomination was seconded and Lou Gargiulo accepted the nomination.

Vice Chair:

Christine Peters was nominated by Kate Day. Mark Vincent seconded the nomination. Chrstine Peters accepted the nomination.

Randall Kelly was nominated by Theresa Birnell. Kristin Jackson seconded the nomination. Randall Kelly accepted the nomination.

Ryan Terrell was nominated by Kate Demers. Kyle Sanborn seconded the nomination. Ryan Terrell accepted the nomination.

Executive Director Elliot Gault explained the voting procedures for casting ballots for the Chairman and Vice Chair races and voting for these two positions proceeded.

Treasurer:

Alan Glassman was nominated by Chris Buda. Bill Wright seconded the nomination. Alan Glassman accepted the nomination.

Dawn Johnson was nominated and her nomination was seconded. Dawn was not yet present at the meeting and accepted the nomination later in the meeting.

Assistant Treasurer:

Janice Mathews was nominated by Mark Vincent. Chris Maidment seconded the nomination. Janice Mathews accepted the nomination.

Jim MacEachern was nominated by Rep. Wayne MacDonald. Rep. Jodie Nelson seconded the nomination. Jim MacEachern accepted the nomination.

Assistant Secretary:

Kirsten Larsen Schultz was nominated by Judy Tucker and the nomination was seconded. Kirsten Larsen Schultz accepted the nomination.

Thad Riley was nominated by Gregg Hough. Dave Wheeler seconded the nomination. Thad was not yet present at the meeting and accepted the nomination later in the meeting.

<u>Secretary:</u> Jane Lane was nominated by George Hansel. Mile Aron seconded the nomination. Andrew Georgevits moved to close nominations for the position of Secretary. The motion was seconded and passed. Chairman Stepanek proceeded to cast one vote for Jane Lane for the position of Secretary. Jane Lane accepted the nomination and vote for secretary.

At 11:45 a.m. Chairman Stepanek recessed the meeting for lunch. At 12:45 p.m. he reconvened the meeting and introduced President Donald Trump who offered remarks. Following President Trump's remarks at 1:45 p.m., Chairman Stepanek announced the results of the election of chair and congratulated Chris Ager as the new NHRSC Chair. Chris assumed the chair and offered remarks. He announced that he will appoint Mary Jane Beauregard as Finance Chair which will be confirmed at the next eboard meeting on 2/6/2023. Also at that meeting the eboard will fill the National Committeeman vacancy created when Chris assumed the chairmanship. He also plans an eboard retreat on 4/1/2023.

Vice Chair Election: Chairman Ager announced that no candidate for Vice Chair received a majority to there would be a runoff between the top two vote getters: Ryan Terrell and Christine Peters. They were each given 3 minutes to speak. Following that, the two candidates not present to speak earlier were given their 3 minutes to speak: Dawn Johnson for Treasurer and Thad Riley for Assistant Secretary.

Voting proceeded for the Vice Chair runoff and for the positions of Treasurer, Assistant Treasurer and Assistant Secretary. Also, the five regions caucused to elect the five Regional Vice Chairs.

REMARKS: The main meeting resumed and former Congressman Will Hurd from Texas was introduced and offered remarks.

REGIONAL VICE CHAIR RESULTS:

The results of the regional caucuses were announced. Elected were:

Regional Vice Chair 1 Mark Alliegro

Regional Vice Chair 2 Rep. Tanya Donnelly

Regional Vice Chair 3 Chris Buda

Regional Vice Chair 4 Conrad Schoeffter

Regional Vice Chair 5 Rep. JR Hoell

REMARKS: Speaker Sherm Packard was introduced and offered remarks.

BYLAW DISCUSSION: Chairman Ager invited Chris Buda to the podium to oversee the Bylaw Amendment Debates for the 2023 annual meeting. He stated that there are 8 bylaws proposals to discuss:

- #1. Amendment #1: Proposed by Chris Buda relative to voting privileges of county and city committees. The Bylaws Committee recommends adopting this amendment and the Executive Committee voted to amend the recommendation to allow voting privileges to members of city committees but not to extend these voting procedures to other than state committee members in county officer elections. Mr. Buda made a motion to adopt the recommendation as amended by the Executive Committee. Tammy Simmons spoke in favor of the motion. On a voice vote, the amendment is adopted.
- #2. Amendment #2: Proposed by Scott Maltzie relative to moving the date of the Annual Meeting to April. The Bylaws Committee recommends adopting this amendment and the Executive Committee voted to support the recommendation. Rep. JR Hoell moved to suspend the rules to act on a resolution. His motion failed on a voice vote. Mr. Maltzie moved to adopt Amendment #2. Chris Wood and Bill Smith both spoke in opposition to the recommendation. On a voice vote, the amendment fails.
- #3. Amendment #3: Proposed by Scott Maltzie relative to postponement of Annual Meeting. The Bylaws Committee recomments adopting this amendment and the Executive Committee voted to support the recommendation. Chris Buda moved to adopt the amendment. Bill Smith spoke in favor of the amendment. On a voice vote, the amendment is adopted.
 - #4. Amendment #4: Proposed by Scott Maltzie who withdrew the amendment.

Tammy Simmons made a motion to table all further amendments and adjourn the meeting. Her motion was ruled out of order. Tammy Simmons made a motion to table all further amendments. Her motion failed on a voice vote.

#5. Amendment #5: Proposed by Karen Testerman relative to a closed primary. The Bylaws Committee does not recommend adoption of this amendment and the Executive Committee voted to support the recommendation not to support this amendment. Karen Testerman moved to adopt the amendment. There were several motions to suspend the rules which were ruled out of order. A voice vote on the amendment was called and the chair ruled there was no clear vote on the voice vote and further ruled that the amendment fails because there was not a 2/3 voice vote in favor.

The Chair announced the result of the voting for contested officer positions. Those elected are:

Vice Chair, Ryan Terrell; Treasurer, Alan Glassman; Assistant Treasurer, Jim MacEachern; Assistant Secretary, Thad Riley.

Tammy Simmons made a motion to table all pending business. The motion failed on a voice vote.

There was more discussion on Amendment #5. There was a motion to overrule the chair's order on the vote on Amendment #5. Motion failed on a voice vote.

#6. Amendment #6: Proposed by JR Hoell relative to filling a vacancy for National Committeewoman. Rep. Hoell came to the microphone and moved that due

to the contention about Amendment #5 that the similar resolution regarding closed primary be handled at this point in the agenda after which Karen Testerman, who proposed Amendment #5 regarding closed primaries, will withdraw the amendment. His motion was seconded and motion carried on voice vote. With regard to Resolution #2 (closed primaries), Karen Testerman moved adoption of the resolution and spoke in favor of it as did Gary Whitehill. Kate Day moved to table this resolution. Her motion was seconded and motion failed on voice vote. The voice vote on the main motion to adopt the resolution was inconclusive. There was a standing vote and the motion to adopt the resolution carried.

Chris Maidment moved a special order to handle Resolution #1 at this time. His motion was seconded and motion carried on a voice vote. Jim Rubens proposed Resolution #1 relative to an Article V Convention. He moved adoption of the resolution and spoke to it. Karen Testerman and Diane Bitter spoke in opposition to the resolution. Ray Chadwick, Dan Maguire, Victoria Sullivan and Rep. Moffitt spoke in favor of the resolution. The question was called and on a voice vote the resolution was adopted.

Going back to the bylaws discussion, Amendment #6 was withdrawn.

- #7. Amendment #7: Proposed by Joe Abasciano relative to calling a special meeting by petition.

 JR Hoel moved to table this amendment. His motion was seconded and motion carried on a voice vote.
- #8. Amendment #8: Proposed by Joe Abasciano relative to Executive Committee meetings. JR Hoell moved to table this amendment. His motion was seconded and motion carried on a voice vote.

Going back to the discussion on resolutions, the next resolution to consider is #3:

Resolution #3: Proposed by Rep. Jason Gerhard relative to vaccines and urging the Attorney General to investigate criminal or wrongful activity relating to development, promotion and distribution of vaccines. Adoption of the resolution was moved and seconded and after discussion, the question was called. On a voice vote, the resolution was adopted.

Resolution #4: Proposed by Claudine Burnham relative to sanctioning any New Hampshire Republican official who attends or supports the World Economic Forum (WEF). Adoption of the resolution was moved and seconded and after discussion, the question was called. On a voice vote, the resolution was adopted.

Resolution #5: Proposed by Claudine Burnham relative to censure of Senate Minority Leader Mitch McConnell. Adoption of the resolution was moved and seconded and after discussion, the question was called. On a voice vote, adoption of the resolution fails.

The business of the 2023 Annual Meeting being concluded, it was moved and seconded to adjourn the meeting. Meeting adjourned at 4:20 p.m.

Respectfully submitted,

Jane P. Lane, Secretary

EXHIBIT B

bob bevill.com

From: Norman J Silber <njs@silbersnh.com>

Sent: Monday, October 9, 2023 1:03 PM

To: david strang; Norman J Silber; Paul Terry; Steve Mac Donald; David C. & Debbie

Murphy; sea1mra@gmail.com; Karen Testerman; Nicole McCarter

(nicolermccarter@gmail.com)

Subject: FW: RSA 659:14 & 91-A

FYI- see below.

Norman J. Silber Member of The Florida Bar & the New Hampshire Bar 243 Mountain Drive Gilford, New Hampshire 03249-6764 Tel 603-293-0565 (land line- no texts) Cell 305-803-5400

Email: njs@silbersnh.com

View complete profile: www.linkedin.com/in/norman-j-norm-silber-83269522

"Live free or die: Death is not the worst of evils."

General John Stark, hero of the American Revolutionary War

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From: David Scanlan < David.Scanlan@SOS.NH.GOV>

Sent: Monday, October 9, 2023 11:24 AM **To:** Norman J Silber <njs@silbersnh.com>

Cc: Orville Fitch <Orville.Fitch@sos.nh.gov>; Chris Ager <chrisager@aol.com>

Subject: RE: RSA 659:14 & 91-A

Good morning Norm,

In response to your RSA 91-A request my office has not been able to locate any "written notice" of a Republican State Party rule change relative two which voters can participate in a New Hampshire primary election.

Case 1:24-cv-00020-LM-AJ Document 1-1 Filed 01/22/24 Page 9 of 19

The current practice of permitting undeclared voters to declare affiliation with the Republican Party and then change back to undeclared or remain in the party after voting has been in place for decades. For me to administer a change related to participation in a party primary would require written notice of a rules change from the party chair.

Sincerely, Dave

From: Norman J Silber < njs@silbersnh.com > Sent: Friday, October 6, 2023 12:07 AM

To: David Scanlan < David. Scanlan@SOS. NH. GOV >

Subject: RSA 659:14 & 91-A

Dear Mr. Secretary:

For many years I have been told that we have "open" primaries for the Republican party in our state because, the so-called conventional wisdom goes, the Republican Party of New Hampshire, a/k/a the NHGOP, has not formally adopted a rule closing the primaries to persons not registered as Republicans and has not given notice of such a rule adoption to the Secretary of State.

But that so-called conventional wisdom seems to conflict with, directly, the provision of RSA 659:14.

RSA 659:14-I provides in pertinent part that "If the rules of a party permit a person who is registered as an undeclared voter to vote in the party's primary, any person desiring to vote in that party's primary shall also announce the name of that party at the time of announcing the person's name."

RSA 659:14-II provides in pertinent part that "The secretary of state shall include on the voter instruction cards required by RSA 658:28 whether a party rule has been adopted which permits a person who is registered as an undeclared voter to vote in the party's primary. The party chairman shall notify the secretary of state in writing prior to the filing period for state offices whether the party has adopted such a rule."

Thus, it appears that in the absence of the adoption of a rule by the NHGOP permitting "a person who is registered as an undeclared voter to vote in the party's primary" and written notice of same to the Secretary of State by the NHGOP chair, undeclared voters are not to be permitted to vote in the Republican party primaries.

However, if the Secretary of State has, in fact, ever received written notice from the chair of the NHGOP of the adoption by the NHGOP of a rule permitting "a person who is registered as an undeclared voter to vote in the party's primary," please be kind enough to so advise me, and send me copies of any such notices including the date or dates on which they were received. This should be construed as a formal demand under RSA 91-A.

If no such notice was ever received, and it being assumed that the NHGOP never adopted a rule permitting "a person who is registered as an undeclared voter to vote in the party's primary," the prior practice of conducting the Republican primaries on an "open" basis has been incorrect and unlawful and should not be repeated in the future unless and until such time, if ever, the NHGOP does adopt such a rule and gives written notice thereof to our Secretary of State.

Any claim that a request for a Republican ballot at the polling place by an undeclared registrant on election day actually constitutes a change of that voter's registration to the R party for the purposes of that election is sophistry at best, and incorrect as a matter of law unless you can cite to a specific RSA that makes it so.

Thank you for your prompt attention to this matter.

Respectfully,

Case 1:24-cv-00020-LM-AJ Document 1-1 Filed 01/22/24 Page 10 of 19

Norman J. Silber Member of The Florida Bar & the New Hampshire Bar 243 Mountain Drive Gilford, New Hampshire 03249-6764 Tel 603-293-0565 (land line- no texts) Cell 305-803-5400

Email: njs@silbersnh.com

View complete profile: www.linkedin.com/in/norman-j-norm-silber-83269522

"Live free or die: Death is not the worst of evils."

General John Stark, hero of the American Revolutionary War

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EXHIBIT C



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Republican State Committee Member (NHGOP)
Chairman of the Merrimack County Republican Committee

5 October 2023 Via email and Certified Mail

Mr. Chris Ager Chairman, NHGOP 10 Water Street Concord, NH 03301

Dear Mr. Ager:

As you know, at the 2023 annual meeting of the NHGOP held on January 28, 2023, the attached resolution closing the primaries to all but registered Republicans was formally adopted by the body consisting of the required quorum of members of the NHGOP state committee.

As you must also know, there is absolutely no distinction between a "Resolution" and a "By-Law" provision contained in the governing documents of the NHGOP.

Thus, it was your duty under the provisions of NH RSA 669:14-II to give written notice to the NH Secretary of State of the adoption of this resolution, but it is understood that you have not done so.

Additionally, the Bylaw Committee contacted me via phone stating that the amendment submitted should be a resolution. Further they requested that I withdraw the bylaw amendment. Now in your correspondence with others you are stating that this resolution should be a bylaw. I am confused as to which process is correct.

Further, it is my understanding that there has not been any "rule" adopted by the NHGOP that would permit "a person who is registered as an undeclared voter to vote in the party's primary" as described in RSA 669:14-II.

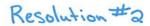
Page 2 of 3

Thus, this is a formal demand that you comply with your duties a chairman of the NHGOP and send formal written notice to the NH Secretary of State of the adoption of the attached resolution by which the party primaries of the NHGOP must be closed and reaffirm that the NHGOP has never adopted any rule that would permit a person who is registered as an undeclared voter to vote in the party's primary.

Very truly yours,

Karen Testerman

Attached- Copy of Adopted Resolution Copy w/enclosure to Honorable David Scanlon, NH Secretary of State, via email and Certified mail Page 3 of 3



RESOLUTION TO RESTRICT THE PRIMARIES TO REGISTERED REPUBLICANS

Whereas the Republican Party is a private organization whose membership choses their nominees during the primary election;

Whereas registered "undeclared" voters can influence the outcome of the nominations;

Whereas sufficient time exists for a voter to declare their party affiliation prior to the day of voting;

Whereas the Revised Statute Annotated 659:14 clearly states "...if the rules of a party permit a person who is registered as an undeclared voter to vote in the party's primary..."; and

Whereas the Secretary of State, David Scanlon, stated in communications "the political parties determine who can participate in their primary" now, therefore, be it:

Resolved: that

- 1. the Republican State Committee adopts the rule that only voters who register as Republicans 30 days prior to the primary election day may receive and mark a Republican ballot for the primary election;
- 2. the party chairman notifies the secretary of state in writing prior to the filing period for state offices that the Republican Party of New Hampshire has adopted the rule that only voters registered as Republicans prior to any primary election may receive a Republican ballot;
- 3. pursuant to RSA 659:14 II, the secretary of state shall include on the voter instruction cards required by RSA 658:28 that the Republican Party of New Hampshire has adopted a rule that does not allow a person who is registered as an undeclared voter to vote in the party's primary;
- 4. instructs the Secretary of State for the state of New Hampshire that any voter requesting an absentee ballot for the Primary election must be registered as a Republican 30 days prior to submitting a request for a Republican absentee ballot; and
- 5. urges the Secretary of State to adjust all voting materials to reflect this requirement for prior registration to receive a Republican ballot for the Primary election.

Mover: Karen Testerman, 603-721-9933

Seconders: Omer J. Ahern, Jr. Jose Cambrils Dave Rivers Joe Abasciano Dave Testerman Tricia Jorgensen Eli Clemmer Cathy Qi Eddie Qi Gary Whitehall Alyssa Ehl

EXHIBIT D

bob bevill.com

From: Chris Ager <chrisager@aol.com>

Sent: Friday, October 6, 2023 10:29 AM

To: MCRC Chairman

Cc: david.scanlan@sos.nh.gov
Subject: Re: Closing the Primary

Attachments: 100523 Closed Primary Resolution.pdf

Karen.

I reiterate what I told you in February 2023 after investigating the Resolutions implementation with the Secretary of State. The Resolution violates state law and cannot be adopted.

My suggestion is to bring forth a By-Law on January13, 2024 that complies with State Law for consideration and critical analysis of the impact. A passed by-law would be binding. I will help you through the process as desired to ensure the activity meets required standards.

Thank You.

Chris Ager

On Thursday, October 5, 2023 at 04:40:14 PM EDT, MCRC Chairman <mcrcchairman@gmail.com> wrote:

Dear Chairman Ager,

Please find enclosed my concern regarding the decision of the State Party to close the primary.

Sincerely,

Karen Testerman
Chairman
Merrimack County Republican Committee
karen@karentesterman.com
(603) 721-9933 http://www.merrimackcountygop.com

I am only one, but still I am one. I cannot do everything but still I can do something; and because I cannot do everything, I will not refuse to do something that I can do. Edward Everett Hale

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EXHIBIT E

Merrimack County Republican Committee

January 17, 2024 Alan's of Boscawen Draft Minutes



Present: Kevin Bastarache, Ernie Bencivenga, Kenna Cross, Thomas Dunne, Marc Griffin, Dorothy Hitchmoth, Trish Jorgensen, Scott Maltzie, Mike Moffett, Ken Park, Jr., David Lovlien, Yury Polozov, Ed Prive, Tresa Salters (guest), Alvin See, Carol Soucy, Dennis Soucy, Dave Testerman, Karen Testerman, Chuck Therrien, Jed Tocci, Robert Wardell, Sumner Weeks, Natalie Wells, Sandra Williams, Marika Yakubovich. Excused: Jose' Cambrils, Mark and Mary Ann Zaccaria

Karen Testerman opened the meeting at 6:02 PM. Robert Wardell led a prayer. Pledge of Allegiance.

Clerk's Report:

Motion to accept the report was made by Chuck Therrien, seconded by Trish Jorgensen, and passed unanimously without discussion.

Treasurer's Report:

Yuri Polozov presented the Treasurer's Report:

Bank Balance

\$10,046.91 \$106.97

Paypal Balance

Total Balance \$10,153.88

Motion to accept the report was made by Ken Park, Jr., seconded by Ed Prive, and passed unanimously without discussion.

A representative from the Young Republicans and College Republicans were invited to speak but were unable to attend.

Vice Chair's Report: Trish Jorgensen

Vote in the FITN NH Primary on Tuesday, January 23.

Pray that the vote is accurately tallied.

Movie night January 31@ Alans @ 6:00 PM. A survey has been sent out on which movie to show.

Chairman's Report: Karen Testerman

NHRSC Annual Meeting last Saturday:

Bill O'Brien was elected National Committeeman

Mary Jane Beauregard was elected National Committeewoman

Amendment 1 - Technical Corrections and Codification PASSED

Amendment 2 - Limiting Repeated Amendments FAILED

Amendment 3 - Establishing Observer and Voting Members of the Executive Committee; changing the voting status of some members. FAILED

Amendment 4 - Clarification of appointments to Finance Committee; establishing standing Bylaws and Technology Committees; clarifying committees' duties and roles. PASSED

Resolution 1 - supporting controlling access and distribution of chemical abortion pills PASSED

Resolution 2 - regarding the New Hampshire Republican State Committee's budget was not properly submitted and therefore not considered.

Resolution 3 - In Support of Protecting Opportunities for Women and Girls in Sports PASSED

Announced Camp Constitution Event on May 4th @ 7 PM at the Alton Bay Christian Conference Center.

Karen's lawsuit on NH Primary was dismissed by the court due to lack of standing. Karen presented a history on the primary voting (Open/Closed).

Karen has been contacted by some attorneys about MCRC joining a lawsuit that would enjoin Independent (Undeclared) voters from voting in the NH Primary based on an RSA that requires that the State Parties file notice with the Secretary of State.

A motion made by Trish Jorgensen, seconded by Marc Griffin to join the lawsuit against the New Hampshire Secretary of State's Office on closing the New Hampshire Primary.

There was discussion for and against the motion.

Motion Passed 15-6.

Guest Introductions: Dorothy Hitchmoth of New London and Tresa Salters of Andover.

Town Committee Reports:

Marc: Loudon no meetings at present

Hooksett Sumner Weeks indicated that there has been no specific activity. Alyssa promoting poll workers for the Primary.

New Business:

Dan Richard's case is still pending. Will be invited to the next meeting.

The 50/50 Raffle was \$82. Trisha Jorgensen won. Donated the money back to the committee.

The next meeting is on February 20, 2024 @ 6:00 PM.

Adjournment: Motion to Adjourn - Chuck Therrian, Second - Ed Prive. Meeting Adjourned at approximately 7:00 PM.

Scott Maltzie for Alyssa Ehl, Clerk